

21 JAN 1980

MEMORANDUM FOR: See Distribution

FROM: [REDACTED]

Chief, Legislation Division/OLC

SUBJECT: FBI Proposal for Inclusion in the  
Intelligence Authorization Bill

1. On 18 January 1980 Chris Mazzella of the FBI's legislative affairs office visited Agency Headquarters to discuss the attached legislative proposal related to moving expense benefits. Mazzella said that the Bureau was attempting to convince the Justice Department to ask the Office of Management and Budget to include the proposal in both the Justice Department Authorization Bill and the Intelligence Authorization Bill.

2. Without commenting on the merits of the proposal, I noted that its broad applicability (it would apply to any employee of the Department of Justice, i.e., to all FBI agents) seemed to make it unsuitable for the Intelligence Authorization Bill. I told Mazzella that I thought both the SSCI and HPSCI would probably consider the proposal to be beyond their jurisdiction. I noted that SSCI and HPSCI reluctance to become involved might be lessened if the proposal were worded so as to apply only to members of the FBI's Intelligence Division. I also noted, however, that inclusion of the proposal by the SSCI and HPSCI could conceivably lead to a Judiciary Committee claim of jurisdiction over the Intelligence Authorization Bill, which we would not want to see.

3. In any event, I told Mazzella that I would take a look at the substance of the proposal in order to see how it compared with Agency benefits. Your comments on that point would be most appreciated.

STATINTL

Attachment

Distribution:

- (1) - OD/Pers PP&M [REDACTED]
- 1 - D/SSA/DDA [REDACTED]
- 1 - OGC [REDACTED]
- 3 - FPH, GT, RJW
- 1 - OLC Subject
- 1 - OLC Chrono

GMC/lmb (21 Jan 80)

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Notwithstanding any other provision of law or regulation, there are authorized to be expended by the Attorney General or his designee such funds as are necessary to:

(1) reimburse an employee who has been compulsorily transferred for expenses incurred in connection with the sale or purchase of a residence, to the extent that such expenses do not exceed those customarily charged in the locality where the residence is located and to the extent that total expenses in connection with the sale of a residence do not exceed 10 percent of the sale price and total expenses in connection with the purchase of a residence do not exceed 5 percent of the purchase price;

(2) reimburse such transferred employees for federal, state and city income taxes but not in excess of thirty percent (30%) of all taxable reimbursed expenses.

(3) pay from Government funds the expenses of transporting, packing, crating, temporarily storing, draying and unpacking household goods and personal effects of an employee transferred in the interest of the Government from one official station to another for permanent duty, not in excess of 13,500 pounds net weight.

The above language set forth in section (1) and (2) is proposed to authorize the Department of Justice to more adequately reimburse compulsorily transferred employees

for the expenses, including an increased tax liability, which are incurred as a result of such transfers.

The above language set forth in subsection (3) is proposed to authorize the Attorney General to move 13,500 pounds rather than the 11,000 pounds set by 5, USC 5724 and to more adequately meet the need of transferred employees.

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